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8 ROMI MAYDER, SILICON TEST SYSTEMS, INC.,
SILICON TEST SOLUTIONS LLC, and WESLEY
MAYDER

IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

VERIGY US, INC., a Delaware Corporation,
Plaintiff,
v.
ROMI MAYDER, an individual; WESLEY
MAYDER, an individual; SILICON TEST
SYSTEMS, INC., a California Corporation;
and SILICON TEST SOLUTIONS, LLC, a
California Limited Liability Corporation,
inclusive,
Defendants.

Case No. 5:07-cv-04330-RMW (HRL)

**DEFENDANTS' ADMINISTRATIVE
MOTION TO FILE DOCUMENTS UNDER
SEAL**

Before: Judge Ronald Whyte
Ctrm: 6

Complaint Filed: August 22, 2007
Trial Date: December 8, 2008 (jury trial)
(Defendants have elected to reserve their jury
trial rights under F.R.C.P., Rule 38)

AND RELATED CROSSCLAIMS.

Pursuant to Civil Local Rules 7-11(a) and 79-5(b), defendants Romi Mayder, Silicon Test Systems, Inc., Silicon Test Solutions LLC, and Wesley Mayder request that the following materials be filed under seal, as they contain confidential information that is protected by the Stipulated Protective Order as entered by the Court on August 29, 2007. The documents submitted under seal include:

1. Exhibit 3 to the Declaration of Jack Russo (“Russo Declaration”) in Support of Defendants’ Motion for Summary Adjudication and Motion to Modify Preliminary Injunction Order.

2. Exhibits B-F to the Supplemental Declaration of Romi Mayder (“R. Mayder Declaration”) in Support of Defendant’s Motion for Summary Judgment and Motion for Rule 11 Sanctions.

Exhibit 3 to the Russo Declaration is a copy of this Court’s August 24, 2007 Order Granting Plaintiff Verigy US, Inc.’s Application for Temporary Restraining Order and Order Authorizing Expedited Discovery: Order to Show Cause re Preliminary Injunction (Unredacted Version), which has been designated by the Court as “Confidential” and is filed under seal. This document has previously been adjudged to contain information to which one or more parties have an overriding confidentiality interest which will be prejudiced if the record is not sealed, and this proposed sealing is narrowly tailored such that no less restrictive means exists to achieve this overriding interest. See, Declaration of Tim C. Hale (“Hale Decl.”), at ¶3-4.

Exhibits B-F to the R. Mayder Declaration have been designated either as “Confidential” or “Highly Confidential—Attorneys’ Eyes Only” by defendants Silicon Test Systems, Inc. or Wesley Mayder as containing information which is proprietary to Silicon Test Systems, Inc. Hale Decl., ¶3. Furthermore, a substantial probability exists that the Silicon Test Systems, Inc.’s confidentiality interest will be prejudiced if these records are not sealed. Hale Decl., ¶4. Although the information in these Exhibits has been designated as protected from disclosure under the Protective Order, defendant Wesley Mayder relies on this information in support of his Motino for Summary Judgment and Motion for Rule 11 Sanctions, and the proposed sealing is narrolly tailored, with no less restrictive means existing to achieve this overriding interest. Hale Decl., ¶4.

Silicon Test Systems, Inc.'s confidentiality interest therefore overcomes the right of public access to the record.

Therefore, pursuant to Local Civil Rule 79-5(b)-(c), defendants have lodged these Exhibits with this Court, and respectfully request leave to file the aforementioned documents under seal.

Dated: July 22, 2008

By: /s/ Tim C. Hale

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